



Atty. Dkt. No. 035879-0125

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Xianzhong YU, et al.

Title: LYTIC PEPTIDE PRODRUGS

Appl. No.: 09/938,623

Filing Date: 08/27/2001

Examiner: Karen A. Canella

Art Unit: 1643

Confirmation 2349

Number:

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated July 18, 2006, and in the Advisory Action dated December 19, 2006, finally rejecting Claims 1, 2, 4-10, 13-23, 25-31, 34-39 and 60.

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ X ] Notice of Appeal Fee

[ X ] To be paid as detailed below

[ ] Not required (Fee paid in prior appeal)

01/19/2007 MAHMED1 00000029 09938623

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500.00 OP

The required fees are calculated below:

[ X ]	Notice of Appeal Fee	\$500.00
[ ]	Extension month:	\$0.00
[ X ]	Extension Already Obtained for third month:	\$1,020.00
	FEE TOTAL:	\$500.00
[ ]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	<b>TOTAL FEE:</b>	<b>\$500.00</b>

A credit card payment form in the amount of \$500.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date January 18, 2007

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Respectfully submitted,

By \_\_\_\_\_

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